

REMARKS

The applicants respectfully request reconsideration in view of the amendment and the following remarks. The applicants have amended claim 1 so that the formula is the same as in claim 10. In the prosecution of the parent application the applicants changed the variable "B" to " X' " in order that "B" will not be confused for the element, boron. In the applicants formula, the substituent "A" can be boron. For example, in the formula in issued claim 11, there is the element boron ("B") and X'.

The Examiner has restricted claims 1-53 as group I claims 1-21 and group II claims 22-53. The applicants affirm their election of Group I.

The applicants appreciate that the Examiner has acknowledged that the applicants have filed a certified copy of their priority document in the parent application. The applicants had also filed an English certified translation of their priority document (see enclosed copy).

Enclosed is a form 3.73 as requested by the Examiner to obviate the objection to the assignee ownership.

The applicants are in the process of executing a supplemental reissue declaration which will obviate this rejection. The undersigned will forward the declaration to the PTO when he receives it.

Claims 1-17, 20 and 21 were rejected under 35 U.S.C. §112 second paragraph. The formulas in claims 1 and 10 have been amended to change the variable "B" to the variable " X' ". This was done in the prosecution of the issued patent in order to avoid confusion of having "B" as being boron. In claim 11, "B" is not a variable but is the

element boron. Claims 16 and 17 ultimately depend upon claim 1, and variable "A" is defined in claim 1. Claims 16 depends on claim 14 which depends on claim 8 which depends on claim 1. Claim 17 depends on claim 8 which depends on claim 1. The applicants have amended the claims and believe that the claims as amended are in compliance with 35 U.S.C. §112 second paragraph.

Claims 1-21 were rejected under 35 U.S.C. 102 (f) over issued patents 5,527,929 (" '929 patent") and 5,972,822 (" '822 patent"). The '929 patent is a division of the application 08/481,791 filed on Jun. 7, 1995, which is a continuation-in-part of application 08/284,925 filed Aug. 2, 1994. The '822 patent is a division of U.S. Ser. No. 08/481,791, filed Jun. 7, 1995, which is a continuation-in-part of application Ser. No. 08/284,925 filed Aug. 2, 1994. The earliest filing date possible for the '929 and '822 patents is August 2, 1994 if they are entitled to this date. The applicants have submitted English certified translation of the priority document in the issued patent prosecution. The applicants believe that they are entitled to the effective filing date of June 13, 1994 which is earlier than the earliest date of the '929 and '822 patents. The applicants believe that they are the first to invent.

A one month extension fee has been paid. No additional fees are due. If there are any additional fees due in connection with the filing of this response, including any fees required for an additional extension of time under 37 CFR 1.136, such an extension is requested and the Commissioner is authorized to charge or credit any overpayment to Deposit Account No. 03-2775.

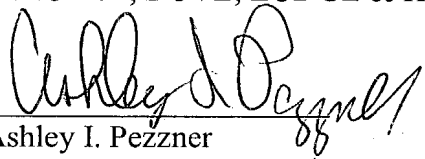
A prompt and favorable action is solicited. The applicants believe that these

claims are in condition for allowance, however, if the Examiner disagrees, the applicants respectfully request that the Examiner telephone the undersigned at (302) 888-6270.

Respectfully submitted,

CONNOLLY, BOVE, LODGE & HUTZ LLP

By


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Enclosures: copy of English certified translation of priority document

Form 3.73

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